REMARKS

By this amendment, claims 1-36 and 38-48 remain in the patent application. Reconsideration of the patentability of the objected and rejected claims is respectfully requested in view of the following remarks. Applicants gratefully acknowledge the indication of allowable subject matter in the application. However, for the reasons presented below, it is respectfully submitted that all the claims are patentable over the prior art.

Amendments have been made to the claims to overcome the objections to use of certain terms in the respective claims and it is submitted that all the claims as now amended are free of the objections found by the Examiner.

Claims 1, 15, 47 and 48 were rejected as being unpatentable over the combination of Asano in view of Fujita et al. The combination of Asano with Fujita et al. is respectfully traversed. Fujita et al. is directed to an inkjet recording apparatus and method that is strictly associated with the use of a binary printing system. The entire premise of this reference is directed to recording at different recording resolutions with a printhead that emits a constant drop size, given for example as 25 pL. A word processing system is provided that binarizes the image data for printing at a predetermined resolution. The amount of ink coverage recorded on a recording sheet is found by providing a predetermined number of dots at different pixel locations for that predetermined resolution. The disclosure of Fujita et al. is replete with reference to the single drop size. For example, the Examiner's attention is directed to the abstract, all the drawings showing a single drop size at a pixel location, the reference at column 3, lines 27-33 to the process of binarizing the multi-valued image data, and additionally the reference at column 5, lines 52-56 which notes the following:

> In any of the above-described three resolvability modes, the amount of ink discharge is 25pL, and Figs. 4A,4B and 4C show states in which at this predetermined discharge amount, recording has been effected on plain paper with respective resolvabilities.

In addition, the Examiner's attention is directed to column 9, lines 45-47 and the various tables II,III and IV. Fujita et al. notes that while ink coverage may vary based on paper, the drop size employed **always** remains constant for a particular nozzle regardless of recording resolution. Therefore it is

respectfully submitted that the teaching of this reference teaches away from that of Asano and would not be considered by the routineer as being pertinent in combining of the two with regard to consideration of a printer apparatus and method of printing wherein at least three different drop sizes including no drops are to be deposited at different pixel locations on the receiver medium during the respective print pass to print the image on receiver medium as is being claimed. Again, the entire premise of Fujita et al. is that of using the same drop sizes for each of the recording resolutions and the teaching thereof is limited to such a restriction.

The Examiner is respectfully reminded that it is the Examiner who bears the initial burden, on review of the prior art or any other ground, of presenting a prima facie case of unpatentability. If the examination at the initial stage does not produce a prima facie case of unpatentability, then without more the applicant is entitled to grant of the patent, see in this regard In re Oetiker et al., 24 USPQ 2nd 1443-4 (CAFC 1992). The Examiner is also respectfully reminded that the factual inquiry whether to combine references must be thorough and searching. It must be based on objective evidence of record. Furthermore, and case law makes it clear, that the best defense against the sole but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirements for a showing of the teaching or motivation to combine prior art references. It is submitted respectfully that the Examiner has failed to show that there has been a rigorous application of this requirement in combining of the references. The Examiner has combined multiple references using applicants' specification as a roadmap without any indication in the references themselves suggesting their combination, and it is respectfully submitted that these two references suggest that they not be combined. It is therefore respectfully submitted that the rejection of the claims for obviousness under 35 USC 103 should be withdrawn.

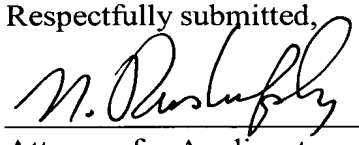
It is also respectfully submitted that the rejection of certain other claims in further combination with Shioya et al. is also inappropriate in that this reference does not teach the concept of a shifted raster as disclosed and defined by applicants. More specifically, and with reference to Figure 3 of Shioya et al., there is depicted a pattern of dots which is described in column 3, lines 16-23 as a halftone pattern. It is submitted that it is incorrect to interpret this as a teaching or

suggestion of a reference and shifted raster. A halftone pattern, in this case is a 45 degree graphic art screen and is printable image data which results from a halftone process being applied to an input image and is used with a printer that does not have full contone capability. The reference and shifted raster are addressable pixel locations on the recording medium and are used, as applicants describe in their specification, when the large drops that do not provide full coverage are best supplemented by small drops on the shifted raster. Thus the reference raster and the shifted raster may be used in contone printing where there is no halftone manipulation of the image data.

As noted above, applicants gratefully acknowledge the indication of allowable subject matter in the application. In reviewing the reasons for allowance of claims 30-35, it is submitted that the reasons for allowance of these claims is more pertinent to claims 33-35. However, in view of the above remarks, it is submitted that claims 30-32 are also patentable over the prior art.

In view of the above amendments and remarks, it is submitted that the applicantion is in condition for allowance, prompt notice of which is earnestly solicited. If, contrary to expectations, questions shall remain the Examiner is invited to call the undersigned to advance prosecution of the application.

Respectfully submitted,



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